

AMENDMENT UNDER 37 C.F.R. §1.111
U.S. Application No. 09/988,373

PATENT APPLICATION
Atty. Docket No. Q66793

REMARKS

Claims 1 - 17 were previously pending. Claims 18 - 38 are herein added. Claims 2 and 7 are herein cancelled. Accordingly, claims 1, 3 - 6, and 8 - 38 are presently under consideration.

The Examiner is thanked for noting the allowable subject matter of claims 4 - 6, 8 and 13.

I. Objection to the Title

The Examiner has objected to the title. A replacement title is provided herein which Applicant believes overcomes the Examiner's objection.

II. Rejection of Claims 3 - 6 Under 35 U.S.C. § 112, Second Paragraph

Applicant has amended claim 3 to clarify that "a period of scanning one line of image comprises an effective reading period and an ineffective reading period . . ." Applicant believes that this amendment addresses the Examiner's concerns and overcomes this rejection.

Accordingly, the Examiner is respectfully requested to reconsider and withdraw this rejection.

III. Rejection of Claim 1 Under 35 U.S.C. § 102 in View of U.S.P. No. 4,908,511 to Ishikawa

Applicant has amended the noted allowable subject matter of claim 5 into claim 1. Accordingly, the Examiner is respectfully requested to reconsider and withdraw this rejection.

Additionally, Applicant respectfully asserts that the Ishikawa reference is absolutely deficient in teaching or suggesting a *dedicated* controller. Accordingly, the Examiner is requested to reconsider for this additional reason.

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IV. Rejection of Claims 1 and 10 Under 35 U.S.C. § 102 in View of U.S.P. No. 4,959,545 to Arakawa

Applicant has amended the noted allowable subject matter of claim 5 into claim 1.

Accordingly, the Examiner is respectfully requested to reconsider and withdraw this rejection.

As to claim 10, this claim is now dependent upon claim 3. Claim 3 (and dependent claim 10 by virtue of dependency upon claim 3) is (are) respectfully asserted as patentable because claim 3 has been herein amended to overcome the 35 U.S.C. § 112, 2nd paragraph, rejection made in the Office Action of March 26, 2004.

V. Rejection of Claims 2, 7 and 9 Under 35 U.S.C. § 103 in View of Either of Ishikawa or Arakawa and Further in View of U.S.P. No. 5,051,588 to Agano / New Claim 28
Claims 2 and 7 have been cancelled, obviating the rejection as to these claims.

As to claim 9, however, the Examiner agrees that both Ishikawa and Arakawa are deficient in teaching or suggest the recitation of claim 9 including "said shading-correction performing means performing shading correction depending on facet characteristics of each of said facets of the deflector." Applicant respectfully asserts that Agano fails to cure the noted deficiencies of Ishikawa and Arakawa.

Accordingly, Applicant requests that the Examiner reconsider and withdraw the instant rejection based on the deficiencies of Ishikawa/Arakawa in combination with Agano. Additionally, Applicant asserts that claim 9 is patentable at least by virtue of dependency upon claim 3.

Further, Applicant respectfully asserts that new independent claim 28 (in independent form) includes subject matter similar to that noted above in relation to claim 9, ("said shading-correction performing means performing shading correction depending on facet characteristics of

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each of said facets of the deflector”) and is therefore patentable because none of Ishikawa/Arakawa or Agano teach or suggest these features.

VI. Rejection of Claims 11 - 12 and 14 - 17 Under 35 U.S.C. § 103 in View of Either of Ishikawa or Arakawa and Further in View of U.S.P. No. 4,859,849 to Shimura

The Examiner states that neither of Ishikawa or Arakawa disclose a dedicated second controller for controlling feeding and/or erasing. The Examiner further states that the Shimura reference somehow makes up for the deficiencies of either of Ishikawa or Arakawa. Applicant respectfully asserts that the Examiner is mistaken on this issue. The Shimura reference entirely fails to cure the deficiencies of either of Ishikawa or Arakawa as to a dedicated second controller for controlling feeding and/or erasing. Accordingly, the Examiner is respectfully requested to reconsider and withdraw this rejection as claims 11 – 12 and 14 – 17 are patentable at least by virtue of recitation of a second controller.

Applicant respectfully asserts that Ishikawa and Arakawa are absolutely deficient as to a second controller, and that the Shimura reference perpetuates these deficiencies. That is, Ishikawa/Arakawa fail to teach, and Shimura fails to cure, at least the recitation of a second controller, let alone a second controller with the following features of the noted claims: (i) that controls a cassette loading unit (claim 14); or (ii) feeding, loading and erasing the medium (claim 15); or (iii) where the second controller interoperates with a first controller (claim 16); or (iv) where the second controller comprises a separate processor from the controller that controls reading (claim 17). Accordingly, the Examiner is respectfully requested to reconsider and withdraw this rejection based on the previously noted deficiencies of the prior art.

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VII. New Claims

Additionally, the following new claims are asserted as patentable at least for the following reasons. New claim 18 includes the subject matter noted as allowable for claim 8. New claims 19 – 27 are asserted as patentable at least by virtue of their dependency upon claim 18. New claim 28 includes subject matter that is similar to claim 9, and is therefore asserted as patentable at least because the prior art fails to teach or suggest “said shading-correction performing means performing shading correction depending on facet characteristics of each of said facets of the deflector . . .” New claims 29 – 38 are asserted as patentable at least by virtue of inclusion of the subject matter of a second controller, in addition to the individual recitations that are similar to that discussed above for claims 11 – 12 and 13 – 17.

VIII. Conclusion

As noted above, the instant invention includes features that are neither disclosed nor suggested by the prior art.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

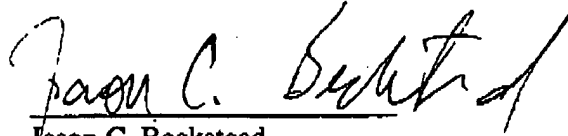
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Respectfully submitted,



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MOUNTAIN VIEW OFFICE

23493

CUSTOMER NUMBER

Date: June 28, 2004

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this AMENDMENT UNDER 37 C.F.R. § 1.111 is
being facsimile transmitted to the U.S. Patent and Trademark Office this
28th day of June, 2004.



Mariann Tam